



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA UPS

AUG 05 2014

Mr. Tyler Kenefick, CSP
Safety Manager
GEA Process Engineering, Inc.
9165 Rumsey Road
Columbia, MD 21045

Re: Request for Information Pursuant to Section 3007(a) of the Resource Conservation and Recovery Act, 42 U.S.C. § 6927(a), Regarding Generation and Management of Hazardous Waste by GEA Process Engineering, Inc.

Information Request - Reference No. C14-020
EPA ID No. MDD91818930

Dear Mr. Kenefick:

The U.S. Environmental Protection Agency, Region III ("EPA") is requesting information to supplement the information obtained by EPA during the inspection of GEA Process Engineering, Inc. located in Columbia, MD (herein after "GEA" or "Facility") on June 5, 2013 and from GEA's May 30, 2014 response to EPA's information request letter. EPA is requesting this information pursuant to the authority granted to it under Section 3007(a) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. § 6927(a), which provides in relevant part that "any person who generates, stores, treats, transports, disposes of, or otherwise handles or has handled hazardous wastes shall, upon request of any officer, employee or representative of the Environmental Protection Agency, duly designated by the Administrator, . . . furnish information relating to such wastes . . ." EPA hereby requires that you furnish to EPA, **within thirty (30) calendar days** of receipt of this letter, the information requested below, including all documents responsive to such request.

For each and every request, if you have any reason to believe that there may be a person(s) who may be able to provide a more detailed or complete response to such request or may be able to provide additional responsive documents, then as a part of your response to such request, identify each such person and the additional information or documents which such person may be able to provide. Furthermore, for each and every response, if information or documents responsive to such request are not in your possession, custody or control, then as part of your response to such request, identify each person from whom such information or documents may be obtained.

Please provide a separate narrative response to each question. Precede each answer with the number of the question or letter of the subpart of the question to which it corresponds.

A request for documents shall be construed as a request for any and all documents maintained by you or in your custody, control, or possession or in the possession, custody or control of any of your employees or agents, relating to the matters described below. For each copy of a document produced in response to this request, indicate on such copy, or in some other reasonable manner, the number of the request to which it responds, the current location and custodian of the original, the date such original was prepared, the person(s) who prepared the original and the date the document became effective at the Facility.

As used herein, the term “document” means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phonograph records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer print outs, or other data compilations from which information can be obtained or translated.

All other terms used in this request for information that are defined in RCRA, 42 U.S.C. §§ 6901 *et seq.*, or 40 C.F.R. Parts 260-266 and 268 shall have the meanings set forth therein.

Requested Information

1. In GEA’s May 30, 2014 response to EPA, GEA described Attachment 5 as the following: “*A report of wastewater collected in the trenches and ultimately disposed of by an outside contractor (See Attachment 5.) This report includes a description of the wastewater, the date of pick-up date, quantity, disposal site, manifest number, waste profile number, and any EPA waste codes.*” In Attachment 5, GEA identified four times when the Facility managed wastewater containing chromium (D007) in its Test Station trenches prior to offsite shipment as hazardous waste. Table 1 below summarizes the information in GEA’s Attachment 5 for each occurrence when GEA managed D007 process wastes in its Test Station trenches:

Table 1: GEA D007 Process Wastes Managed In Test Station Trenches

Description	Pick-up Date	Quantity	Disposal Site	Manifest Number	Waste Code
Washwater containing stainless steel (chromium/nickel)	2-Jun-11	5 drums	Spring Grove Resource Recovery, Inc. 4879 Spring Grove Ave Cincinnati, Ohio	4455321 FLE	D007
water containing stainless steel powder (nickel & chromium)	16-Aug-11	1 tote	Spring Grove Resource Recovery, Inc. 4879 Spring Grove Ave Cincinnati, Ohio	4395380	D007
Washwater containing chromium & nickel	15-Jun-12	11909 lbs	Clean Harbors Cincinnati, Ohio	005606246 FLE	D007
Washwater containing chromium & nickel	18-Jun-12	1351 gal	Clean Harbors Cincinnati, Ohio	005606262 FLE	D007

For each shipment of D007 wastewater listed in Table 1, please provide the following information:

- a. A detailed description of the location of the trench, the identifying Test Station trench number, and/or any other specific information to identify the trench where the D007 wastewater was collected prior to offsite shipment;
- b. Provide a reviewed and certified written assessment from a qualified Professional Engineer that attests to the integrity of the trench referenced in your response to Question 1.a. above;
- c. Describe, in detail, any secondary containment systems used to prevent releases from the trench referenced in your response to Question 1.a. above;
- d. Describe, in detail, any spill (e.g. check valves, dry disconnect couplings) and overfill (e.g. level sensing devices, high level alarms, automatic cutoff valves, or bypass to a standby tank) controls installed on the trench referenced in your response to Question 1.a. above to prevent releases from overfilling;
- e. State the amount (weight and volume) of D007 wastewater that was collected from the process testing and/or contract toll processing in the trench referenced in your response to Question 1.a. above, if not already identified in Table 1 above;
- f. Provide the exact date (month/day/year) when GEA first began filling the trench with D007 wastewater from the process testing or equipment cleaning. If the exact date cannot be determined, please estimate the month and year;
- g. Provide the exact date (month/day/year) when GEA last removed D007 wastewater from the trench referenced in your response to Question 1.a. above. If the exact date cannot be determined, estimate how long it took from the first date D007 wastewater entered the trench to the last date D007 wastewater was emptied from the trench;
- h. Prior to offsite shipment of the D007 wastewater, how many times was the trench referenced in your response to Question 1.a. above filled and then emptied with D007 testing and/or contract toll processing wastewater;
- i. During the time that the trench referenced in your response to Question 1.a. above was used to collect D007 testing and/or contract toll processing wastewater, state whether or not the Facility conducted inspections of the trench when it contained D007 wastewater. If inspections were conducted, please indicate how often the inspections were conducted. If the inspections were documented or recorded by Facility personnel, provide copies of any records for each inspection;
- j. Describe, in detail, where and how the D007 wastewater was managed onsite after it was pumped from the trench referenced in your response to Question 1.a. above;

2. Provide the corresponding hazardous waste manifest for each offsite shipment listed in Table 1 above.
3. In GEA's May 30, 2014 response to EPA, GEA stated in response to Question 1.a.: *"The testing and occasional contract toll processing described above is conducted in the Test Station rooms at the Facility, six (6) of which contain a trench. These trenches are designed to collect wash water and wastewater from the test or toll activities to be pumped to the Facility's wastewater pretreatment plant."* For each shipment of D007 wastewater listed in Table 1 above, that was collected in an onsite wastewater pretreatment tank after being pumped from the trench, please provide the following information:
 - a. State the corresponding manifest number of the D007 waste stream that was managed in a Facility onsite wastewater pretreatment tank prior to offsite shipment;
 - b. Describe the exact location of the wastewater pretreatment tank where the D007 wastewater, indicated in your response to Question 3.a. above, was collected prior to offsite shipment. Provide the exact tank number and/or any other specific information to identify the tank where the D007 wastewater was collected;
 - c. Provide a detailed narrative that explains how and when the tank identified in your response to Question 3.b. above, was constructed and installed;
 - d. During the time that the tank identified in your response to Question 3.b. above was used to collect D007 wastewater, state whether or not the Facility conducted any further processing and/or treatment in the tank prior to offsite shipment, and describe, in detail, any such processing and/or treatment conducted in the tank;
 - e. Provide a reviewed and certified written assessment from a qualified Professional Engineer that attests to the integrity of the tank identified in your response to Question 3.b.;
 - f. Describe, in detail, any secondary containment systems used to prevent releases from the tank identified in your response to Question 3.b. above;
 - g. Describe, in detail, any spill (e.g. check valves, dry disconnect couplings) and overfill (e.g. level sensing devices, high level alarms, automatic cutoff valves, or bypass to a standby tank) controls installed on the tank, identified in your response to Question 3.b. above, to prevent releases from overfilling;
 - h. State the exact volume of the tank identified in your response to Question 3.b. above;
 - i. State the amount (weight and volume) of D007 wastewater that was collected in the tank identified in your response to Question 3.b. above, if not already identified in Table 1 above;
 - j. Provide the exact date (month/day/year) when GEA first began filling the tank

identified in your response to Question 3.b. above, with D007 wastewater from the trench. If the exact date cannot be determined, please estimate the month and year;

- k. Provide the exact date (month/day/year) when GEA removed D007 wastewater from the tank identified in your response to Question 3.b. above. If the exact date cannot be determined, estimate how long the D007 wastewater was accumulated in the tank before it was emptied prior to offsite shipment;
 - l. During the time the tank identified in your response to Question 3.b. above contained D007 wastewater, state whether or not the Facility conducted inspections of the tank. If inspections of the tank were conducted, please indicate how often the inspections were conducted. If the inspections were documented or recorded by Facility personnel, provide copies of any records for each inspection.
4. Please indicated by stating “yes” or “no” to the following question: Within the past 5 years, has GEA sent testing and/or toll process generated waste offsite under hazardous waste manifest that was collected directly into a wastewater pretreatment tank without using its Test Station trenches to manage such waste?
- a. If the answer to the above Question 4 is “yes”, please provide the following information for each offsite shipment of hazardous waste within the past 5 years where testing and/or toll process waste was collected into a pretreatment tank without using a Test Station trench to manage such waste:
 - i. Provide a copy of the hazardous waste manifest for each offsite shipment of such waste;
 - ii. Describe the exact location of the wastewater pretreatment tank where such waste was collected prior to offsite shipment. Provide the exact tank number(s) and/or any other specific information to identify the tank where such waste was collected;
 - iii. Provide a detailed narrative that explains how and when the tank identified in Question 4.a.ii above was constructed and installed;
 - iv. During the time that the tank identified in your response to Question 4.a.ii. was used to collect such waste, state whether or not the Facility conducted any further processing and/or treatment in the tank prior to offsite shipment, and describe, in detail, any such processing and/or treatment conducted in the tank;
 - v. Provide a reviewed and certified written assessment from a qualified Professional Engineer that attests to the integrity of the tank identified in your response to Question 4.a.ii.;
 - vi. Describe, in detail, any secondary containment systems used to prevent

releases from the tank identified in your response to Question 4.a.ii.;

- vii. Describe, in detail, any spill (e.g. check valves, dry disconnect couplings) and overfill (e.g. level sensing devices, high level alarms, automatic cutoff valves, or bypass to a standby tank) controls installed on the tank, identified in your response to Question 4.a.ii., to prevent releases from overfilling;
 - viii. State the exact volume of the tank identified in your response to Question 4.a.ii. above;
 - ix. State the amount (weight and volume) of waste that was collected in the tank identified in your response to Question 4.a.ii. above;
 - x. Provide the exact date (month/day/year) when GEA first began filling the tank identified in your response to Question 4.a.ii with such waste. If the exact date cannot be determined, please estimate the month and year;
 - xi. Provide the exact date (month/day/year) when GEA removed such waste from the tank identified in your response to Question 4.a.ii. If the exact date cannot be determined, estimate how long such waste was accumulated in the tank before it was emptied prior to offsite shipment;
 - xii. During the time the tank identified in your response to Question 4.a.ii contained such waste, state whether or not the Facility conducted inspections of the tank. If inspections of the tank were conducted, please indicate how often the inspections were conducted. If the inspections were documented or recorded by Facility personnel, provide copies of any records for each inspection.
- b. If the answer to Question 4 above is "no", for each offsite shipment of hazardous waste within the past 5 years that was generated from testing and/or toll processing, and not collected into a Test Station trench or pretreatment plant tank, describe in detail how such hazardous waste was managed prior to offsite shipment?

The provisions of Section 3008 of RCRA, 42 U.S.C. § 6928, authorize EPA to pursue penalties for failure to comply with or respond adequately to an information request under Section 3007(a) of RCRA. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. § 1001. The information you provide may be used by EPA in administrative, civil or criminal proceedings.

You are entitled to assert a claim of business confidentiality covering any part or all of the information, in a manner described in 40 C.F.R. § 2.203(b). Information subject to a claim of business confidentiality will be made available to the public only in accordance with 40 C.F.R. Part 2, Subpart B. Unless a claim of business confidentiality is asserted at the time the requested information is submitted, EPA may make this information available to the public without further notice to you.

This request for information is not subject to review by the Office of Management and Budget pursuant to the Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520.

Your response must include the following signed and dated certification:

I certify that the information contained in this response to EPA's request for information and the accompanying documents is true, accurate and complete. As to the identified portions of this response for which I cannot personally verify their accuracy, I certify under penalty of law that this response and all attachments were prepared in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Signature: _____
Name: _____
Title: _____

Please send, or otherwise ensure delivery of the requested information to:

Andrew Ma
US EPA Region III
Environmental Science Center
701 Mapes Road
Fort Meade, MD 20755-5350

If you have any questions concerning this matter, please contact Mr. Andrew Ma at (410)-305-3429.

Sincerely,



Carol Amend, Associate Director
Land and Chemicals Division
Office of Land Enforcement

cc: A. Ma (3LC70)

